

Amendment No. 1 to SB2403

Southerland
Signature of Sponsor

AMEND Senate Bill No. 2403*

House Bill No. 3218

by deleting from Section 1 of the bill the language "Sections 2 through 6" and by substituting instead the language "Sections 2 through 8".

AND FURTHER AMEND by deleting subdivision (4)(A) of Section 4 of the bill and substituting instead the following language:

(A) Employs ten (10) or more employees;

AND FURTHER AMEND by deleting Sections 6 and 7 of the bill in their entireties and substituting instead the following:

SECTION 6.

(a) Notwithstanding the provisions of § 4-5-208, the board shall be authorized to promulgate emergency rules to initially implement the provisions of this act.

(b) The department may develop and publish educational materials on the requirements of this part relative to discarded mercury-added consumer products and the effects of improper mercury disposal. For purposes of this section, publication shall include, but is not limited to, prominently posting the content of such materials on the department's web site.

SECTION 7.

(a) When making an inspection of any structure pursuant to §62-3-128; §62-4-127; title 68 or title 69, the inspector shall make the following inquiry to the owner of the structure, or, if the owner is not present at the time of an inspection, any other person with the authority to exercise control over the structure who is present at such structure at the time of the inspection:

Are you aware that, if any of the following criteria apply to your business and your business utilizes mercury-added consumer products, such as fluorescent light bulbs, the Mercury Product Control Act applies to your business:

- (1) Employs ten (10) or more employees;**
- (2) Owns or maintains a building of at least three thousand (3,000) square feet, excluding private residences;**
- (3) Owns or maintains one (1) or more electrical distribution systems;**
- (4) Engages in the demolition of buildings, excluding private residences; or**
- (5) Owns or operates a tanning bed salon?**

The Mercury Product Control Act requires proper recycling of mercury-added consumer products rather than disposing of such products in the solid waste stream. Do you have a plan for recycling mercury-added consumer products?

(b) Any governmental entity or contractor that is required to update a form, whether in paper or electronic format, or both, in order to add the question required by subsection (a), shall only do so upon the occasion of the next regularly scheduled printing of such form or software update of a web site, which immediately follows the effective date of this bill.

SECTION 8.

(a) The department of revenue shall include an item in its registration forms that poses the following inquiry to each person who is required to register with the commissioner of revenue pursuant to § 67-4-706:

Are you aware that, if any of the following criteria apply to your business and your business utilizes mercury-added consumer

products, such as fluorescent light bulbs, the Mercury Product

Control Act applies to your business:

(1) Employs ten (10) or more employees;

(2) Owns or maintains a building of at least three thousand (3,000) square feet, excluding private residences;

(3) Owns or maintains one (1) or more electrical distribution systems;

(4) Engages in the demolition of buildings, excluding private residences; or

(5) Owns or operates a tanning bed salon?

The Mercury Product Control Act requires proper recycling of mercury-added consumer products rather than disposing of such products in the solid waste stream. Do you have a plan for recycling mercury-added consumer products?

(b) Any governmental entity or contractor that is required to update a form, whether in paper or electronic format, or both, in order to add the question required by subsection (a), shall only do so upon the occasion of the next regularly scheduled printing of such form or software update of a web site, which immediately follows the effective date of this bill.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.